

RESPONSE TO A FAMILY LAW MOTION

King County Family Law Facilitators: Instruction # F-2 King County Local Family Law Rules (LFLRs)

If you have been served with a Family Law Motion and you are required to appear in the Family Law Department for a hearing, you must file your Response with the Court and have the other party served with a copy of your Response by 12:00 noon at least 4 court days prior to the hearing.

STEP 1: COMPLETE THE REQUIRED FORMS

- [Declaration form, WPF DRPSCU 01.0100](#)

Use this form to describe in detail your response to the other party's motion and why the Court should rule in your favor. You may attach to your declaration other supporting evidence or documentation. Others who know about your case may also write a declaration on your behalf.

- [Order form, WPFDRPSCU 01.0150](#)

Complete this form according to how you would like the Commissioner to rule at your hearing. If you disagree with the other party's proposed order(s), you will need to prepare your own proposed order(s).

If your motion involves a financial matter (i.e. payment of debts, payment for guardian ad litem) you may also need to complete, file and serve a [Financial Declaration, WPF DRPSCU 01.1550](#) and a [Sealed Financial Source Documents cover sheet, WPF DRPSCU 09.0220](#), with attachments (copies of the other financial documents required for a change in custody or child support):

- All pay stubs showing income for the past 6 months (if you did not receive pay stubs for any of this period, submit other documents showing all income received from whatever source, and the deductions from income, for any such periods).
- Complete personal tax returns for the prior 2 years together with all schedules and W2 forms.
- Complete partnership and corporate tax returns together with all schedules and attachments for the past 2 years for all partnerships and corporations in which a party's interest is five percent or greater.
- All statements related to accounts in financial institutions in which the parties have or had an interest during the last 6 months. "Financial Institutions" includes banks, credit unions, mutual fund companies and brokerages.
- If a party receives or has received non-taxable income or benefits (for example, from a trust, barter, gift, etc.), documents that show receipts, the source, and any deductions, for the past 2 years.
- (Check registers shall also be supplied within 14 days if requested by the other party).

- [Declaration of Mailing or Delivery or Return of Service, WPF DRPSCU 01.0250](#)

See Step 4 to determine which of these forms you will need.

STEP 2: TALK TO AN ATTORNEY, IF POSSIBLE

These instructions are not a substitute for legal advice. The laws and court rules are complex and following these instructions will not guarantee you a favorable result. It is always advisable to talk to a lawyer about your problem before filing your action. If you cannot afford to hire an attorney to represent you, you may be able to pay a lawyer to give you advice and review your paperwork for less cost. Contact the King County Bar Association Lawyer Referral Line for information about limited services representation. If you cannot afford these costs, there are limited free legal services available to low income people. Contact the King County Bar Association Lawyer Referral Line for information about resources for low income people. Even if you do not hire a lawyer to represent you throughout the proceeding, a lawyer can look over your paperwork, give you advice on how to present your evidence, and tell you whether this type of action is right for you.

STEP 3: MAKE COPIES, FILE WITH THE CLERK, DELIVER WORKING PAPERS

Make 3 copies of your response packet (Declaration form and any witness Declarations, Order form, and any other forms you decide to include). On the copies of the Order form (or a Parenting Plan or Order of Child Support), write the word "PROPOSED" in the upper right hand corner. Do not write PROPOSED on the original of the Order.

File the originals of your declaration and any witness declarations with the Clerk's Office by 12 noon, 4 court days prior to your hearing. Do not give the Clerk any copy or original of your Orders. **You will bring the original of these forms to your hearing.**

Deliver *Working Papers* (a copy of your response packet) to the Family Law Coordinator by 12 noon, 3 court days prior to your hearing.

In the top right hand corner of the first page of your Working Papers write the following:

WORKING PAPERS
FAMILY LAW MOTIONS
HEARING DATE: _____
HEARING TIME: _____ AM/PM
NAME: _____
(Your Name)

STEP 4: SERVE THE OTHER PARTY

Serve the other party with a copy of your response packet by noon, 4 court days prior to the hearing. “Court days” **do not** include weekends or holidays.

You may serve these papers by delivering or mailing them yourself to the other party (provided that no order restrains you from having contact) at least four court days prior to the hearing, seven days if service is by mail. If an attorney has appeared in the case for the other party, deliver or mail to the attorney instead. After you have delivered or mailed your motion packet, fill out the Declaration of Mailing or Delivery. Make one copy of this form for your records and file the original with the Clerk’s Office.

If the motion involves child support, and if any of the children have ever been on public assistance, you must also deliver a copy of your response packet to the King County Prosecuting Attorney Family Support Section.

STEP 5: ATTEND THE HEARING

Arrive 30 minutes early for your hearing to check in. DO NOT BRING CHILDREN WITH YOU. YOU MAY HAVE TO WAIT UP TO 3 HOURS FOR YOUR CASE TO BE HEARD.

Bring the following to your hearing:

- Copies of all the documents the other party served you with
- A copy of your response packet
- The original of the Order form

After the hearing, make yourself a copy of whatever document(s) the Commissioner signed. All original documents signed by the Commissioner must be filed in the Clerk’s Office.

DO NOT LEAVE THE COURTHOUSE WITH THE ORIGINAL DOCUMENT(S) SIGNED BY THE COMMISSIONER.

WARNING: These instructions are not a substitute for legal advice. The laws and court rules are complex and following these instructions will not guarantee you a favorable result. It is always advisable to talk to a lawyer about your problem before filing your action. (You may be able to hire a lawyer for a small fee to review your completed forms and talk about your problem but not represent you in court). If you need a lawyer, contact the Family Law Facilitators’ Office for a legal resource list or call the King County Bar Association